

Amendment to the Claims

The claims are amended to read as follows.

1 1. (original) A computer controlled display system for
2 generating quality assurance contract requirements for
3 software suppliers comprising:
4 means for assessing the quality level of each of a set
5 of quality attributes of said software suppliers; and
6 means for generating for each of said quality
7 attributes at least one contract requirement for said
8 supplier based upon the quality level of said attribute.

1 2. (original) The computer controlled display system of
2 claim 1 wherein:
3 said means for assessing the quality level includes
4 means for determining one of a plurality of quality levels
5 for each of said set of quality attributes, and
6 said means for generating includes means for generating
7 a different contract requirement for each of said quality
8 levels for each attribute.

1 3. (original) The computer controlled display system of
2 claim 2 wherein no contract requirement is generated for at
3 least one of said quality levels for at least one of said
4 quality attributes.

1 4. (original) The computer controlled display system of
2 claim 2 wherein said means for determining said quality
3 levels determines said levels dynamically during the system
4 operation.

1 5. (original) The computer controlled display system of
2 claim 2 wherein:
3 said set of quality attributes consists of a single
4 overall quality characteristic having several predetermined
5 quality levels, and
6 said means for generating provides a plurality of
7 contract requirements for each of said predetermined quality
8 levels.

1 6. (original) The computer controlled display system of
2 claim 1 wherein said contract requirement involves tracking
3 and reporting of said software development.

1 7. (original) The computer controlled display system of
2 claim 1 wherein said contract requirement involves tracking
3 and reporting of testing of said software.

1 8. (original) The computer controlled display system of
2 claim 1 wherein said contract requirement involves software
3 supplier risk identification and reduction.

1 9. (original) The computer controlled display system of
2 claim 1 wherein said contract requirement involves the
3 management processes of said supplier.

1 10. (original) The computer controlled display system of
2 claim 1 wherein:

3 said display system assigns said software supply
4 function to said software supplier in an overall work flow
5 distribution system; and

6 said means for generating automatically generate and
7 distribute said contract requirements to said supplier in
8 response to the selection of said supplier.

1 11. (original) A method for generating, on a user
2 interactive computer controlled display system, quality
3 assurance contract requirements for software suppliers
4 comprising:

5 assessing the quality level of each of a set of quality
6 attributes of said software supplier; and

7 generating for each of said quality attributes at least
8 one contract requirement for said supplier based upon the
9 quality level of said attribute.

1 12. (original) The method of claim 11 wherein:

2 said step of assessing the quality level includes
3 determining one of a plurality of quality levels for each of
4 said set of quality attributes, and

5 generating a different contract requirement for each of
6 said quality levels for each attribute.

1 13. (original) The method of claim 12 wherein no contract
2 requirement is generated for at least one of said quality
3 levels for at least one of said quality attributes.

1 14. (original) The method of claim 12 wherein said step of
2 assessing said quality levels determines said levels
3 dynamically during the system operation.

1 15. (original) The method of claim 12 wherein:
2 said set of quality attributes consists of a single
3 overall quality characteristic having several predetermined
4 quality levels, and
5 a plurality of contract requirements for each of said
6 predetermined quality levels is generated.

1 16. (original) The method of claim 11 wherein said contract
2 requirement involves tracking and reporting of said software
3 development.

1 17. (original) The method of claim 11 wherein said contract
2 requirement involves tracking and reporting of testing of
3 said software.

1 18. (original) The method of claim 11 wherein said contract
2 requirement involves software supplier risk identification
3 and reduction.

1 19. (original) The method of claim 11 wherein said contract
2 requirement involves the management processes of said
3 supplier.

1 20. (original) The method of claim 11 wherein:
2 said software supply function is assigned to said
3 software supplier in an overall work flow distribution
4 method; and
5 said contract requirements are automatically generated
6 and distributed to said supplier in response to the
7 selection of said supplier.

1 Claims 21 to 30 (cancelled).

2 31. (new) A computer program comprising a computer useable
3 medium having a computer readable program, wherein the
4 computer readable program when executed on a computer causes
5 the computer to:
6 assess the quality level of each of a set of quality
7 attributes of said software supplier; and
8 generate for each of said quality attributes at least
9 one contract requirement for said supplier based upon the
10 quality level of said attribute.

1 32. (new) The computer program of claim 31 wherein:
2 said step of assessing the quality level includes
3 determining one of a plurality of quality levels for each of
4 said set of quality attributes, and
5 said program causes said computer to generate a
6 different contract requirement for each of said quality
7 levels for each attribute.

1 33. (new) The computer program of claim 32 wherein no
2 contract requirement is generated for at least one of said
3 quality levels for at least one of said quality attributes.

1 34. (new) The computer program of claim 32 wherein said step
2 of assessing said quality levels determines said levels
3 dynamically during the system operation.

1 35. (new) The computer program of claim 32 wherein:
2 said set of quality attributes consists of a single
3 overall quality characteristic having several predetermined
4 quality levels, and
5 a plurality of contract requirements for each of said
6 predetermined quality levels is generated.

1 36. (new) The computer program of claim 31 wherein said
2 contract requirement involves tracking and reporting of said
3 software development.

1 37. (new) The computer program of claim 31 wherein said
2 contract requirement involves tracking and reporting of
3 testing of said software.

1 38. (new) The computer program of claim 31 wherein said
2 contract requirement involves software supplier risk
3 identification and reduction.

1 39. (new) The computer program of claim 31 wherein said
2 contract requirement involves the management processes of
3 said supplier.

1 40. (new) The computer program of claim 31 wherein:
2 said software supply function is assigned to said
3 software supplier in an overall work flow distribution
4 method; and
5 said contract requirements are automatically generated
6 and distributed to said supplier in response to the
7 selection of said supplier.

Summary of Telephone Interview with Examiner on 02/22/07.

Applicants thank Examiner for the telephone interview extended to their attorney, J. B. Kraft on February 22, 2007. As Applicants set forth in that interview, the Aycock et al patent is not an anticipatory reference under 35 USC 102. In order to reject under 35 USC 102, the reference must teach every element of the invention without modification. Aycock does not do this. The present invention covers a computer controlled system, method, and program for computer generation of contract requirements from suppliers. As Applicants set forth in the interview, Aycock does not teach the generation of supplier contracts. Applicants have read every citation of Examiner in Aycock, and fail to find any instant of Aycock even mentioning supplier contracts or requirements in such contracts.

In the interview, Applicants also pointed out to Examiner that the present Application and the Gloor Patent (US6,859,781) were commonly owned by International Business Machines Corporation, the Assignee herein at the time the invention of the present Application was made. As will be set forth herein below, since the present application has a filing date after November 29, 1999, and the Gloor patent would qualify as prior art under the provisions of 35 U.S.C. 102(e), Gloor is precluded, under 35 U.S.C. 103(c), from being used in the 35 U.S.C. 103 rejection of claims 8, 18, and 28.